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(File this application via e-docket, or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. _____
CHIEF CLERK'S OFFICE
ICC Office Use Only

Please provide the appropriate information in the () areas in the heading below.

Power-Finder West Communications, LLC

Application for a certificate of
interexchange authority
to operate as a reseller
of telecommunications services in
in the State of Illinois.

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:
:

01-0604

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name(including d/b/a, if any)

FEIN # 52-216-7937

Power-Finder West Communications, LLC

Address: Street **9250 Gaither Road**

City **Gaithersburg** State/Zip **MD 20877**

2. Authority Requested: (Mark all that apply)

☐

13-403 Facilities Based Interexchange

☒

13-404 Resale of Local and/or Interexchange

☐

13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

☒

Part 710

Uniform System of Accounts for Telecommunications Carriers

The Applicant respectfully requests waiver of 83 Ill. Admin. Code Part 710, which requires it to keep its books pursuant to Uniform System of Accounts ("USOA") principles. The Applicant currently maintains its books and records in accordance with Generally Accepted Accounting Principles ("GAAP"). No other jurisdiction requires the Applicant to maintain its books pursuant to USOA principles. Therefore, without a waiver, the Applicant would be required to maintain two sets of

books. This is an extremely onerous requirement, particularly because GAAP accurately reflects the Applicant's operations. Because the use of USOA principles would be unduly burdensome, and would provide little additional information to the Commission, a waiver of the USOA requirement is hereby requested.

- ☒ Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits,
Termination of Service and Issuance of Telephone Directories for Local Exchange
Telecommunications Carriers in the State of Illinois

The Applicant respectfully requests waiver of 83 Ill. Admin Code Part 735, Procedures Governing Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois. This Part was adopted primarily to protect consumers from costly and unwarranted billing practices engaged in by monopoly telecommunications carriers. Realistically, as a new provider of resold interexchange telecommunications service in an intensely competitive market, wherein both regulators and consumers have begun to scrutinize providers closely, the Applicant will be unable to impose unfair practices upon unwitting consumers. Therefore, the Applicant respectfully requests that the Commission waive application of this Part.

- ☐ Sec. 735.180 Directories

For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following: **Not applicable.**

- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
- (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
- (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
- (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.

5. In what area of the state does the Applicant propose to provide service?

The Applicant proposes to provide resold interexchange telecommunications service throughout the State of Illinois.

6. Please attach a sheet designating contact persons to work with Staff on the following:

- a) issues related to processing this application

**Tamara E. Connor (tconnor@kelleydrye.com)
KELLEY DRYE & WARREN LLP
8000 Towers Crescent Drive
Suite 1200
Vienna, VA 22182
Tel. (703) 918-2311
Fax (703) 918-2450**

- b) consumer issues

Robert Katzen (bob@inputsolutions.com)
Chief Financial Officer
Power-Finder West Communications, LLC
9250 Gaither Road
Gaithersburg, MD 20877
Tel. (301) 948-6620 x107
Fax (301) 948-6576

- c) customer complaint resolution

Robert Katzen (bob@inputsolutions.com)
Chief Financial Officer
Power-Finder West Communications, LLC
9250 Gaither Road
Gaithersburg, MD 20877
Tel. (301) 948-6620 x107
Fax (301) 948-6576

- d) technical and service quality issues

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Chief Financial Officer
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Gaithersburg, MD 20877
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Fax (301) 948-6576

- e) "tariff" and pricing issues

Robert Katzen (bob@inputsolutions.com)
Chief Financial Officer
Power-Finder West Communications, LLC
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Tel. (301) 948-6620 x107
Fax (301) 948-6576

- f) 9-1-1 issues

Not applicable. By this Application, the Applicant seeks authority to provide resold interexchange telecommunications service only.

- g) security/law enforcement

Robert Katzen (bob@inputsolutions.com)
Chief Financial Officer
Power-Finder West Communications, LLC
9250 Gaither Road
Gaithersburg, MD 20877
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Fax (301) 948-6576

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

7. Please check type of organization?

- ☐ Individual ☐ Corporation
☐ Partnership Date corporation was formed
In what state?

☒ Other (Specify) **Limited Liability Company ("LLC")**

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

A copy of the Applicant's Articles of Organization is attached hereto as *Exhibit A*. A copy of the Applicant's Certificate of Authority to transact business in the State of Illinois is attached hereto as *Exhibit B*.

9. List jurisdictions in which Applicant is offering service(s).

Power-Finder is not yet providing regulated telecommunications service in any jurisdiction. As implementation of the first phase of its business plan, Power-Finder currently is preparing applications for resold interexchange authority throughout the approximately twenty states comprising the Verizon, Southwestern Bell and PacTel operating areas. Power-Finder has received authority to provide resold interexchange services in Arkansas, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Texas, Vermont, and has received conditional authority in Pennsylvania.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

- ☐ YES (Please provide details) ☒ NO

11. Have there been any complaints or judgements levied against the Applicant in any other jurisdiction?

- ☐ YES ☒ NO

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

- ☐ YES ☒ NO

If YES, please list. _____

13. Will the Applicant keep its books and records in Illinois? ☐ YES ☒ NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

The Applicant respectfully requests that the Commission waive the requirements of 83 Ill. Admin. Code Part 250, and accordingly, that the Commission permit the Applicant to maintain its books, accounts, papers, records, memoranda, etc. at its corporate headquarters, in Gaithersburg, Maryland, where all personnel responsible for the maintenance of these documents are located. Establishing and maintaining a location in the State of Illinois for the sole purpose of maintaining books, accounts, papers, records, memoranda, etc. would create a significant additional cost to the Applicant's operations, and would be unduly burdensome. The Applicant will be represented by a statutory agent in the State of Illinois for

service of process, and will provide the Commission with access to its books, accounts, papers, records, memoranda, etc. upon request.

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

The members of the Applicant's management team have significant experience in the critical functions of product development, sales and marketing, business management and finance. These individuals acquired such experience by their work in various segments of the business world prior to assuming their managerial roles in the development of Power-Finder. The brief biographies of the Applicant's management team, attached hereto as *Exhibit C*, demonstrate the managerial and technical competence of the Applicant.

15. List officers of Applicant.

Alexander J. Eucare, Jr.	Chief Executive Officer
Robert Katzen	Chief Financial Officer

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? ☐ YES ☒ NO

If YES, list entity. _____

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

Power-Finder intends to bill its customers directly. It plans to issue customer bills on a monthly basis, with charges itemized and otherwise in compliance with the rules and regulations of the Commission. In the case of a billing dispute, Power-Finder will provide an escalating review procedure, enabling customers to resolve disputes as quickly as possible. Should the Applicant and the customer be unable to resolve the dispute, the customer will have the option to file a complaint with the Commission.

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

Power-Finder recognizes that in today's market, customer service is critical to a successful telecommunications business strategy. For this reason, Power-Finder intends to offer its customers a state-of-the-art customer service operation, providing a reliable and responsive point of contact for resolution of questions, concerns and complaints. Customer service personnel will be responsible for resolving any customer issues that may arise, including service delivery, credit issues, network repair, and billing. These representatives will have direct access to Power-Finder's key personnel as well as the essential contacts at its underlying carrier, ensuring ready availability of the resources necessary to solve the most common customer service issues. For immediate personal assistance, customers will be able to contact representatives toll-free at (877) 669-3624.

Initially, Power-Finder will contract with one of the nation's most respected customer service operations to ensure comprehensive, responsive service for its customers. Over time, as the Applicant's operations expand, Power-Finder may absorb this function as an in-house capability. Throughout, however, the Applicant will retain close oversight regarding customer service operations to ensure that the highest standards are maintained. Robert Katzen, Chief Financial Officer, will serve initially as the company official responsible for management of the customer service program.

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

20. What telephone number(s) would a customer use to contact your company? (877) 669-3624

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES ☐ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

The Applicant will abide by all federal and state slamming and cramming regulations and will establish procedures to prevent slamming and cramming, including obtaining LOAs or the use of third-party verification, as required.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 735, 755, 756, 757, 770, and 772?

☐ YES ☐ NO (If no, please provide an explanation.)

Not applicable. By this application, the Applicant seeks authority to provide resold interexchange telecommunications service only.

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

Copies of Applicant's financial statements are attached hereto as *Exhibit D*. Please note that the Applicant is a privately-owned company, and is not under any obligation to prepare or release its financial statements, ownership information, or specific customer projections in any state. Therefore, Applicant submits its financial statements *under seal*.

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? ☐ YES ☒ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

If NO, which facility provider(s)'s services does the Applicant intend to use?

At the present time, the Applicant intends to resell the interexchange telecommunications services of Qwest. However, the Applicant may in the future resell the interexchange telecommunications services of other carriers appropriately certificated by the Commission.

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

By this Application, Power-Finder seeks authority to operate as a reseller of intraLATA and interLATA interexchange telecommunications services to the public throughout the State of Illinois. Specifically, Power-Finder requests authority to provide a selected range of 1+ interexchange services and data transmission services, including, but not limited to, MTS, private line, WATS, prepaid calling card, toll free, ISDN, and frame relay service products.

28. Will technical personnel be available at all times to assist customers with service problems?

☒ YES ☐ NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? _____ YES _____ NO

Not applicable. The Applicant does not intend to provide payphone service.



(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

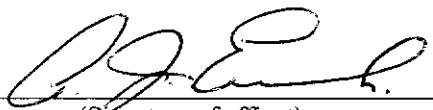
OATH

State of Virginia)
County of Fairfax)ss

Alexander J. Eucare, Jr. makes oath and says that he is Chief Executive Officer
(Insert here the name of affiant) (Insert the official title of the affiant)


of Power-Finder West Communications, LLC
(Insert here the exact legal title or name of the Applicant)

that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.


(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/
(Title of person authorized to administer oaths)

in the State and County above named, this 17th day of September, 2001.


(Signature of person authorized to administer oath)

Charles H. Hill, II
Notary Public for the Commonwealth of Virginia
My Commission Expires June 28, 2003

